

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**ABC MORTGAGE CORPORATION  
f/k/a JOHN G. MACLEOD d/b/a  
ABC MORTGAGE COMPANY**

**Plaintiff,**

**v.**

**SCOTTSDALE INSURANCE  
COMPANY**

**Defendant.**


**Civil Action No. 04-CV-10816 MLW**

**DEFENDANT'S LOCAL RULE 16.1(D)(3) CERTIFICATION**

In accord with the provisions of Local Rule 16.1(D)(3), defendant Scottsdale Insurance Company and its counsel hereby certify that they have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course - and various alternative courses - of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

**Scottsdale Insurance Company,**

  
Dean W. Clause CPCU,  
Senior Claim Specialist

Its Counsel,

/s/ Stephen J. Abarbanel

Stephen J. Abarbanel, BBO # 010100  
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Dated: June 2, 2005